

REMARKS

With entry of the present amendment, claims 1 to 4, 6, 9 to 19, and 22 to 24 are pending. Claims 1, 2, 6, 22, 23, and 24 have been amended, and claims 5, 7, 8, 20, and 21 have been cancelled. The amendments are supported by the specification and claims as filed. No new matter has been added.

No additional fees are believed due. However, the Director is hereby authorized to charge any deficit, or credit any overpayment, to Deposit Account No. 08-2525.

RESTRICTION REQUIREMENT AND AMENDMENTS

The claims have been restricted to the following twenty-one groups:

- I. The compounds according to claim 1 of formula IA and IB, wherein C is phenyl.
- II. The compounds according to claim 1 of formula IA and IB, wherein C is pyridinyl.
- III. The compounds according to claim 1 of formula IA and IB, wherein C is furanyl or tetrahydrofuranyl.
- IV. The compounds according to claim 1 of formula IA and IB, wherein C is benzo[b]thiophenyl.
- V. The compounds according to claim 1 of formula IA and IB, wherein C is tetrahydronaphthyl.
- VI. The compounds according to claim 1 of formula IA and IB, wherein C is indanyl

- VII. The compounds according to claim 1 of formula IA and IB, wherein C is 2,2, dimethyl-[1,3]dioxolanyl.
- VIII. The process for preparing a compound formula IA and IB according to claim 22, wherein C is phenyl.
- IX. The process for preparing a compound formula IA and IB according to claim 22, wherein C is pyridinyl.
- X. The process for preparing a compound formula IA and IB according to claim 22, wherein C is furanyl or tetrahydrofuranyl.
- XI. The process for preparing a compound formula IA and IB according to claim 22, wherein C is benzo[b]thiophenyl.
- XII. The process for preparing a compound formula IA and IB according to claim 22, wherein C is tetrahydronaphthyl.
- XIII. The process for preparing a compound formula IA and IB according to claim 22, wherein C is indanyl
- XIV. The process for preparing a compound formula IA and IB according to claim 22, wherein C 2,2, dimethyl-[1,3]dioxolanyl.
- XV. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is phenyl
- XVI. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is pyridinyl.

XVII. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is furanyl or tetrahydrofuranyl.

XVIII. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is benzo[b]thiophenyl.

XIX. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is tetrahydronaphthyl.

XX. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is indanyl.

XXI. The method of treating according to claims 20 and 21 of formula IA and IB, wherein C is 2,2, dimethyl-[1,3] dioxolanyl.

Applicants hereby elect, Group I, directed to compounds of formulae IA and IB wherein

(C) is phenyl and the species N-(5-Benzoyl-1-methyl-2-oxo-2,3,4,5-tetrahydro-1H-benzo[b][1,4]diazepin-3-yl)-N'-(3,5-difluoro-benzyl)-2-methyl-malonamide (Example 14).

The claims have been amended in accordance with the restriction requirement such that

(C) is phenyl. Applicants appreciate the examiner's indication that such compounds of formula IA are allowable. The amendments were not made for reasons of patentability.

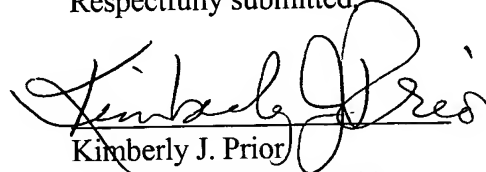
Applicants understand that if no prior art is found that anticipates or renders obvious the elected species, search and examination of the claims will be extended in accordance with M.P.E.P. § 803.02 to the extent necessary to determine patentability of the generic claims as amended.

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The foregoing amendment is fully responsive to the Restriction Requirement issued February 26, 2007. Early and favorable consideration is earnestly solicited.

If the Examiner believes there are other issues that can be resolved by telephone interview, or that there are any informalities remaining in the application which may be corrected by Examiner's Amendment, a telephone call to the undersigned attorney is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kimberly J. Prior", is written over a horizontal line.

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